

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

The specification and abstract have been reviewed and revised to make a number of editorial revisions. Due to the number of changes involved, a substitute specification and abstract have been prepared and are submitted herewith. No new matter has been added. Enclosed is a marked-up copy of the specification and abstract indicating the changes incorporated therein.

Claims 1-7, 9, 10, 12, 26, 27, 29, 30, 32 and 48 have been rejected under 35 U.S.C. §102(e) as being anticipated by Takayama (US 6,336,072). Claims 11 and 31 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Takayama. Claims 13, 14, 33, 34 and 50 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Takayama in view of Okude (US 6,341,254). Claims 17 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Takayama in view of Kaplan (US 6,463,384). Claims 19 and 39 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Takayama in view of Kaplan and further in view of Kusama (US 6,259,989). Claims 21-25, 41-44, 46, 54 and 57 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Takayama in view of Suman (US 6,028,537). Claim 45 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Takayama in view of Suman and Okude and further in view of Doi (US 6,377,890).

**It is noted that Suman (US 6,028,537) has been relied in two of the above-mentioned rejections. However, the Examiner has failed to list Suman on the form PTO-892 as is required. Therefore, the Examiner is respectfully requested to list Suman on a form PTO-892 in order to make the reference officially of record.**

Regarding Doi, it is noted that Doi is a reference under 35 U.S.C. §102(e) and has an earliest effective date of June 8, 2000. It is also noted that the present application claims priority to Japanese application No. 2000-077293 filed on March 17, 2000. Therefore, it is apparent that the filing date of the present application's priority document is prior to the earliest effective filing date of Doi. Enclosed is an English language translation of Japanese application No. 2000-077293 along with a statement verifying its accuracy. It is submitted that at least claim 45 is supported by Japanese

application No. 2000-077293. As a result, Doi is not a reference that can be used against at least claim 45.

Claims 8, 15, 16, 20, 28, 35, 36, 40 and 52 have been indicated as containing allowable subject matter. The Applicants would like to thank the Examiner for this indication of allowable subject matter.

Claims 1, 26, 48 and 55-58 have been amended so as to further distinguish the present invention from the references relied upon in the above-mentioned rejections. Claims 2 and 41 have been canceled without prejudice or disclaimer to the subject matter contained therein. Claim 3 and 49 have been amended to be dependent from claim 1 since claim 2 has been canceled. Claims 60-73 have been added.

In addition, claims 1, 3-40 and 42-59 have been amended to make a number of editorial revisions. These revisions have been made to place the claims in better U.S. form. None of these amendments have been made to narrow the scope of protection of the claims, nor to address issues related to patentability and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

Claim 1 is patentable over Takayama, since claim 1 recites a map display device having, in part, a communications part for receiving communications information including information which varies in real time. Takayama fails to disclose or suggest a communications part as recited in claim 1.

Takayama discloses an apparatus for presenting navigation information based on instructions described in a script (naviscript). The apparatus includes an input user terminal 10 and a center 40.

The center 40 is used to generate the naviscripts and has a script editing unit 41 that is used to create the naviscripts to be transferred to the terminal 10. The naviscripts are created in a markup language which identifies with tags time information, point information, information for guidance, and other constituent elements of instructions. Additionally, the naviscript can describe a directive for a plurality of instructions to be processed sequentially or in parallel. The instructions stored in the naviscript can be conditional based on a current state of the user. (See column 9, line 53 - column 10, line 14; column 6, line 61 column 7, line 4; column 11, lines 35-40; and Figure 2).

Once one or more naviscripts have been generated by the center 40, the terminal 10 selects a naviscript from among the one or more naviscripts stored in the center 40 and/or on a type of media 32 via a network accessing unit 12 and/or a medium access unit 13, respectively, in response to a request by a user. The user terminal 10 has a script converting unit 14 that parses the selected naviscript and converts it into structured navigation data. When the selected naviscript is used while the user is actual navigating, an instruction unit 15 of the terminal 10 obtains the current state of the user from a state acquiring unit 16 and uses the current state of the user to complement the structured navigation data. The current state of the user can including information related to the current time, the user's location, and preset traffic information (traffic jam, accident, etc.). The structured navigation data according to the obtained state is then outputted from the terminal 10 to the user via a navigation output unit 18. (See column 8, lines 26-48; column 19, lines 47-57; and Figure 1).

Based on the above description, it is apparent that Takayama fails to disclose or suggest a communications part for receiving communications information including information which varies in real time. Instead, the network accessing unit 12 of the terminal 10 receives the naviscript, which does not include information which varies in real time, from the center 40. As discussed above, the naviscript includes a predetermined script of instructions that can be processed either sequentially or in parallel. Further, the instructions can be conditionally based on the current state of the user which is determined within the terminal 10. While Takamura does disclose that traffic information can be included in the current state of the user, it is apparent that the traffic information is preset by the user and not received in real time. (See column 19, lines 47-57).

As further evidence that the naviscripts do not contain information which varies in real time, Takayama discloses that the naviscripts are previously stored in the center 40 and/or various media 32 and then one of the previously stored naviscripts is selected base on a user's request. Therefore, it is apparent that no information that varies in real time is received by the terminal 10 in either the naviscripts or the current state of the user. (See column 8, lines 26-32). As a result, Takayama fails to disclose or suggest the invention as recited in claim 1.

As for (1) Okude, (2) Kaplan, (3) Kusama, (4) Suman and (5) Doi, these references are relied on as disclosing (1) a navigation system having a 3D map generation part; (2) a navigation system that stores toll gate information regarding tolls and exact change; (3) a navigation system that stores

acceptable methods of payment at a toll collection point; (4) a vehicle communication system that incorporates a GPS module 38 that allows emergency service personnel to locate a vehicle in distress; and (5) a navigation system that shows a sequence of routes from a current position to a point of embarkation on public transportation and a sequence of routes from a point of disembarkation from the public transportation to a destination, respectively. However, none of the references discloses or suggests a communications part as recited in claim 1.

As for claims 26, 48 and 55-59, there are patentable over the references for the same reasons as set forth above in support of claim 1. That is, claims 26, 48 and 55-59, like above claim 1, recite one of a communications part for receiving communications information including information which varies in real time, a communications process for receiving communications information including information which varies in real time, and interpreting and executing communications information including information which varies in real time, which features are not disclosed or suggested in the references.

Because of the above mentioned distinctions, it is believed clear that claims 1, 3-40 and 42-73 are allowable over the reference relied upon in the rejections. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 3-40 and 42-73. Therefore, it is submitted that claims 1, 3-40 and 42-73 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

Kiyomi SAKAMOTO et al.

By:   
\_\_\_\_\_  
David M. Ovedovitz  
Registration No. 45,336  
Attorney for Applicants

DMO/jmj  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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